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dt 2001

BEFORE THE HON'BLE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

W.P. . . . . 2072 . . . /2003.

Petitioner : 1. Shrimati Aarti Shrivastava
W/o Shri Chandra Shekhar Shrivastava,
Aged 40 years,
Official Address: Tilak PrimarySchool,
No. 2, Durg, Teachers Colony, Durg.

Residence - Kayasthpara, Ward No. 05,
DURG (C.G.).

1940/03
P. R. No. 19.12.03
Presented by Shri R.S. Shrivastava
dated 19.12.03

2. Srimati Pushpalata Tamrakar
W/o Shri Munnalal,
Aged 61 years,
Official Address - Tilak Primary School
No. 2, Durg.

Residence - Teacher's Colony, Durg.

Versus.

Respondents : 1. State Government of Chhattisgarh
Through - Secretary, School Education
Department, Secretariate Bhawan (Old)
D.K. Hospital, Raipur (C.G.).

2. District School Officer,
Durg (C.G.).

Writ petition under Art. 226/227 of the Constitution of India.

(22)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 2072/03 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

23-7-2003

Shri N.L. Shrivastava, counsel for the petitioners.

Shri S.K. Agrawal, Deputy Advocate General for the State / respondents.

The main grievance of the petitioners in this petition is that they have passed B. Ed. course and therefore they are entitled for two additional increments in terms of the Government order No. F 7-44/96/20-4, dated 24th December 1998 and a notice to the respondents was sent on 30th May 2003, even then they have not granted two additional increments.

I have perused the petition.

It has not been mentioned in the petition that after passing the B. Ed. examination the petitioners had ever moved the respondents with a prayer that they have passed B. Ed. examination and, therefore, they are entitled for two additional increments.

After passing the B. Ed. examination and in order to get two additional increments the proper course with the petitioners was that in the first instance they should have moved their office for entering into this additional qualification into their service record and thereafter they should have moved through proper channel to the concerned authorities for granting them two additional increments in terms of the Government order No. F 7-44/96/20-4, dated 24-12-98.

From the perusal of the petition it seems that the petitioners had not adopted this course and all of a sudden they issued notice to the

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
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respondents on 30th May 2003 for grant of two additional increments and thereafter rushed to this Court and filed the petition on 15th July 2003.

In my considered opinion, unless the petitioners' additional qualification is entered in their service record and they moved the concerned authorities through proper channel for grant of two additional increments and without giving any opportunity to the respondents, it would not be just and proper to pass any order against the respondents.

At this stage, the learned counsel for the petitioners submits that the petitioners may be given time to move the State Government and if their representations are not considered within a reasonable time, then they will be entitled to approach this Court again for the relief sought in this petition.

The prayer made by the learned counsel for the petitioner is just and reasonable, therefore, the petitioners are at liberty to move the State Government for grant of two additional increments in terms of the Government order No. F 7-44/96/20-4, dated 24-12-98 as per the procedure indicated above. If the requests of the petitioners are not acceded and after considering the same within a reasonable period, then they will be at liberty to approach this Court.

With these observations, this petition is disposed of.

Parties are entitled for certified copy of this order.

Sd/-
L.C. Bhadoo
Judge

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